

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

STEVEN BRAGORGOS,) Case No. 3:17-cv-00358-LRH-CBC
Plaintiff,)
v.) **ORDER REGARDING**
ELAINE CHAO, in her capacity as) **STIPULATION TO EXTEND TIME TO**
Secretary of Transportation,) **FILE OPPOSITION TO MOTION TO**
Defendant.) **DISMISS (ECF NO. 46)**
) **(SECOND REQUEST)**
)

Plaintiff Steven Bragorgos (“Plaintiff”) and Defendant Elaine Chao (“Defendant”), by and through their undersigned counsel, hereby stipulate and agree that Plaintiff may have until October 24, 2018 to respond to Defendant’s motion to dismiss (ECF No. 46) and Defendant may have until November 5, 2018 to reply to Plaintiff’s response.¹

REASONS FOR STIPULATION

Plaintiff and the United States Department of Transportation (“DOT”) are parties to multiple actions currently pending before the MSPB. Those actions are independent of this

¹ Plaintiff's response to the motion to dismiss was due yesterday, September 24, 2018. Plaintiff's counsel experienced computer problems, however, and was unable to file the stipulation on the due date. Defendant does not object to filing the stipulation today.

1 lawsuit but may have a bearing on its outcome. A mediator has been appointed by the MSPB,
2 and mediation is presently scheduled for October 16, 2018 at the U.S. Attorney's Office in Reno
3 Nevada, for the purpose of attempting to settle Plaintiff's administrative claims against the DOT.
4 The parties to this federal action have agreed to participate in that mediation. At the mediation,
5 Plaintiff, Defendant, and DOT representatives will discuss a global settlement that, if achieved,
6 would resolve the pending litigation before the Court. The parties wish to extend the deadlines
7 for Plaintiff to respond to Defendant's motion to dismiss, and for Defendant to reply to Plaintiff's
8 response, to allow the parties to focus on, and prepare for, the upcoming mediation.

9 **CONCLUSION**

10 For the reasons argued above, the parties stipulate and agree that the deadline for
11 responding to Defendant's motion to dismiss should be extended to October 24, 2018 and the
12 deadline for replying to Plaintiff's response should be extended to November 5, 2018.

13 **DATED** this 25th day of September, 2018.

14 DAYLE ELIESON
15 United States Attorney

16 /s/ Holly A. Vance
17 HOLLY A. VANCE
18 Assistant United States Attorney
19 *Attorney for Defendant*

16 /s/ Michael E. Langton
17 MICHAEL E. LANGTON
18 Nevada Bar No. 290
19 801 Riverside Drive
Reno, NV 89503

20 *Attorney for Plaintiff*

21 IT IS SO ORDERED:

22 DATED this 27th day of September, 2018.

23 
24 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE